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COHEN, PONTANI, LIEBERMAN & PAVANE
Suite 1210
551 Fifth Avenue
New York, NY 10176

Paper No. 7

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DEC 13 2002

In re Application of
Mariette Lehto
Application No. 09/903,225
Filed: July 11, 2001
Attorney Docket Number: 2132-48PCON

OFFICE OF PETITIONS

DECISION GRANTING STATUS
UNDER 37 C.F.R. §1.47(b)

This is in response to the renewed petition for status under 37 C.F.R. §1.47(b), filed October 7, 2002.

The petition is **GRANTED**.

The above-identified application was filed on July 11, 2001, without an executed oath or declaration, and naming Mariette Lehto as sole inventor. Accordingly, on August 27, 2001, a Notice to File Missing Parts of Application - Filing Date Granted was mailed, requiring applicant to submit an executed oath or declaration and pay a surcharge for late filing. The Notice set an extendable two month period for reply.

In response, on March 27, 2002, and supplemented on October 7, 2002 applicant filed:

- a statement from European patent attorney Markku Simmelvuo and Certification of Employment Relationship,
- extract from trade roster,
- a statement from Mika Valkeapaa and employee of Sonera Oyj, declaration and power of attorney signed by Maire Laitinen, General Counsel and Tiia Tuovinen, Assistant General Counsel of Sonera Oyj,
- translated correspondence to non-signing inventor,
- the surcharge under 1.16(e) for late filing, and
- a petition (and fee) under §1.47(b).

Applicant has satisfied the requirements of §1.47(b)¹. Applicant, by declaration of persons with first hand knowledge and documentary evidence, demonstrated that the non-signing inventor has been presented with a copy of the application papers for signature and that she has refused by statement and conduct to sign the declaration. Applicant submitted a declaration signed by, Maire Laitinen, General Counsel and Tiia Tuovinen, Assistant General Counsel of Sonera Oyj. This declaration has been reviewed and is found in compliance with 1.63 and 1.64. Applicant paid the petition fee and included a statement of the non-signing inventor's last known address in the petition. The statement from Markku Simmelvuo and the Certification of Employment Relationship establish the applicant's proprietary interest in the application.

This application is hereby accorded Rule 1.47(b) status.

¹ A grantable petition under 37 C.F.R. §1.47(b) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration; (2) an acceptable oath or declaration; (3) the petition fee; (4) a statement of last known address of the non-signing inventor; (5) proof of proprietary interest; and (6) proof of irreparable damage.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being forwarded to the Office of Initial Patent Examination for further processing of the application.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Charlema R. Grant at (703) 306-0251.

 for

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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Mariette Lehto
7 Tredegar House
97-99 Bow Road
Bow London E3 2AN
Great Britain

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In re Application of
Mariette Lehto
Application No. 09/903,225
Filed: July 11, 2001
Title: METHOD AND SYSTEM FOR THE
EFFECTING PAYMENTS BY MEANS OF A
MOBILE STATION

DEC 13 2002
LETTER OFFICE OF PETITIONS

Dear Ms. Lehto:

You are named as the sole inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 118 (United States Code) and 37 CFR 1.47(b). Should a patent be granted on the application you will be designated therein as the sole inventor.

As the named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Charlema R. Grant at (703) 306-0251. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Beverly M. Flanagan

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Lance J. Lieberman
COHEN, PONTANI, LIEBERMAN & PAVANE
Suite 1210
551 Fifth Avenue
New York, NY 10176